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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DIANE VACCARO and
JENNIFER CHIU,

Plaintiffs,

v.

AMAZON.COM.DEDC, LLC,

Defendant.

Civil Action No. 3:18-11852 (FLW) (TJB)

**NOTICE OF MOTION TO DISMISS AS TO
PLAINTIFF DIANE VACCARO**

Electronically Filed

Motion Day: December 6, 2021

TO: Joshua S. Boyette
Justin L. Swidler
Matthew D. Miller
SWARTZ SWIDLER LLC
1101 Kings Highway North, Suite 402
Cherry Hill, NJ 08034
Attorneys for Plaintiffs

COUNSEL:

PLEASE TAKE NOTICE that on December 6, 2021, at 9:00 a.m., or as soon thereafter as counsel may be heard, Defendant Amazon.com Services LLC¹ (“Defendant” or “Amazon”), by and through its counsel, Morgan, Lewis & Bockius, LLP, will move before the Honorable Freda L. Wolfson, U.S.D.J., of the United States District Court for the District of New Jersey, at the Clarkson S. Fisher Building & U.S. Courthouse, located at 402 East State Street Room, Trenton, NJ 08608, for the entry of an order pursuant to Federal Rule of Civil Procedure 37(d) and 41(b),

¹ Amazon.com.dedc, LLC was merged into Amazon.com Services LLC and no longer exists.

dismissing the claims asserted by Plaintiff Diane Vaccaro against Defendant for failure to cooperate in discovery.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendant shall rely upon the accompanying Certification of Joseph A. Nuccio.

Dated: November 12, 2021

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

s/ Joseph A. Nuccio

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